

The Importance of the Archer-Shee Case

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EVEN a brief study of the Archer-Shee case reveals that the issue involved is one of far greater importance than the mere disciplinary dismissal of a young cadet of the Royal Naval College at Osborne. When Mr. Martin Archer-Shee discovered that his son had been unjustly accused of stealing and cashing a five-shilling postal order and consequently dismissed as unsuitable material for the making of a British officer, he said, "Well, we'll have to see about this." See about it Mr. Archer-Shee most certainly did, and out of this resolution evolved a struggle for personal liberty perhaps of less scope but certainly not of less importance than the fight for liberty in 1914, which it preceded by only a few years. What had at first seemed a small matter of the disappearance of a five-shilling postal order assumed much larger proportions when a British citizen exercised his right to question a governmental department's decision, and when the foremost men of the land sacrificed personal interest and national reputation to defend a little boy who had been unfairly treated. And out of this maze of bureaucratic delay and its ensuing struggle a larger issue becomes apparent: the inviolable sovereignty of the individual in a democratic state.

But let us look more closely at the record of this defense of a little boy, so soon lost in the din of a more consequential defense. As democracy evolves from not one, but many principles, so this defense of an individual in a democracy evolved from an enigma of unreliable testimony, bureaucratic complacency and delay, and public apathy.

It was the testimony of a post office clerk that finally implicated the boy. Although she could not actually identify the boy because they all looked so much alike in their uniforms, she did remember that the stolen order was cashed by the boy who had bought the postal order for fifteen and six. This cadet was Master George Archer-Shee. That circumstantial evidence was enough for the Admiralty. Probably impressed with her role in the drama, and no doubt anxious to please the Admiralty, an unwitting but well-meaning witness condemned the boy on evidence which she *thought* to be true. Not until two years later, under the cross-examination of the noted advocate Carson, was she convinced that she could not be absolutely sure that the stolen order had been cashed by the same cadet who had bought the order for fifteen and six. Perhaps the responsible persons at Osborne should not be judged too harshly. They were, after all, not

psychologists acquainted with the factors contributing to the unreliability of testimony, but naval officers trying to get the job done.

Retiring behind the tradition of the infallibility of a government department, the Admiralty, who had issued their ultimatum with scarcely an opportunity for a defense of Master Archer-Shee, completely overlooked the improbability of the boy's guilt to hastily dispense with the business at hand. Thus the individual rights of the boy were sacrificed in the interests of expediency. No amount of questioning and investigating on the part of the parents of the fledgling Naval Officer could arouse the Admiralty from their complacency in the midst of a labyrinth of officialdom.

There were others who shared the Admiralty's complacency. There were neighbors who intimated that after all the Navy must know what it was doing, and there were those who doubted that the whole thing was really as important as Mr. Archer-Shee's determination would make it seem to be. There were, after all, more important events taking place in the world, and Mr. Archer-Shee, so they thought, was plainly "making a nuisance of himself." Victims of a self-induced sedative—apathy—the British people could not be bothered with the problems of a child who was not *their* child.

All citizens of a democratic state are quick to acknowledge the Archer-Shee case as a demonstration of the principles of democracy in action. They are quick to extol the virtues of a democracy in which a private citizen may take up arms against the government which has violated his basic rights as a citizen. They are ready to applaud the endeavors of a Mr. Carson who would jeopardize his position as a noted advocate to defend a little boy. They virtuously expound that such a defense of personal liberty could happen only in a democratic land. And they forget it.

It is a paradox of democracy that its citizens are endowed with not one but two kinds of liberty, the liberty of action and the liberty of inaction. The Archer-Shee case proves the inextricable relationship of the two. Thus the inviolable rights of Master Archer-Shee might well have been lost in the complacency and inertia of a government office bound by its own red tape. The reputation of Master Archer-Shee might have been sacrificed in the apathy of those who would not question the bureaucracy. The fate of George Archer-Shee depended upon the determination of his father and an aroused advocate. The preservation of the principles of a democracy depends upon the vigilance of its citizens. The loss of liberty for one might well mean the loss of liberty for many, and the liberty of action might well be lost in the apathy of inaction.